



IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

CONNOR CROWELL, on behalf of
himself and all similarly situated
employees,

Plaintiff,

v.

M STREET ENTERTAINMENT, LLC;
KAYNE PRIME, LLC; MOTO, LLC;
1120, LLC d/b/a SAINT AÑEJO; LIME,
LLC d/b/a TAVERN MIDTOWN;
VIRAGO, LLC; and WK, LLC d/b/a
WHISKEY KITCHEN,

Defendants.

No. 3:21-cv-517

COLLECTIVE ACTION

JURY DEMAND

District Judge Trauger

Magistrate Judge Newbern

PLAINTIFF'S UNOPPOSED MOTION TO DISMISS
BARRED OPT-IN PLAINTIFFS WITHOUT PREJUDICE

Under Rule 21 of the Federal Rules of Civil Procedure, Plaintiff Connor Crowell, through counsel, respectfully request that this Court dismiss **without prejudice** the claims of 19 opt-in plaintiffs who submitted consents to join this action but who do not appear to have any live claims to pursue against Defendants under the Fair Labor Standards Act of 1938 ("FLSA"). All 19 opt-in plaintiffs listed below participated in the settlement of *Fenwick v. M Street Entertainment, LLC, et al.*, No. 3:20-cv-403 (M.D. Tenn.). Plaintiffs' counsel's investigation supports Defendants' contention that these 19 opt-in plaintiffs, as of this filing, have not worked for Defendants since the effective date of the *Fenwick* settlement on March 4, 2021, and that any FLSA claims these opt-in plaintiffs currently would attempt to pursue in this case are barred.

Under Local Rule 7.01, Plaintiff's counsel conferred with Defendants' counsel before filing this motion. Defendants do not oppose the relief Plaintiff seeks.